

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

BARRY HALL, et al.,

Plaintiffs,

vs.

AT&T MOBILITY LLC f/k/a

CINGULAR WIRELESS LLC *et al.*,

Defendants.

) Civil Action No. 07-05325 (JLL)

)

) **NOTICE OF MOTION BY**

) **CERTAIN ETF COUNSEL FOR**

) **ORDER ENFORCING**

) **AGREEMENT WITH CLASS**

) **COUNSEL RE ALLOCATION AND**

) **DISTRIBUTION OF ATTORNEYS'**

) **FEES AND EXPENSES**

)

) Date: February 7, 2011

) Time: 10:00 a.m.

) Before: Hon. Jose L. Linares

)

)

)

)

)


PLEASE TAKE NOTICE that on February 7, 2011, at 10:00 a.m., or as soon thereafter as the matter may be heard, the law firms of Bramson, Plutzik, Mahler & Birkhaeuser, LLP; Franklin & Franklin, APC; Law Offices of Anthony A. Ferrigno; Reich Radcliffe LLP; Cuneo Gilbert & LaDuca; Law Offices of Carl Hilliard; and Law Offices of Joshua Davis (the “Seven Law Firms”) will move before the Honorable Jose L. Linares, U.S.D.J., at the United States District Court, 50 Walnut Street, Newark, New Jersey, for an order (1) enforcing an agreement between the Seven Law Firms and ETF Class Counsel – the law firms of Strange & Carpenter and Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein – regarding the allocation of attorneys’ fees and expenses in connection with the AT&T Settlement in this Court; (2) ruling that Class Counsel are obligated to pay the Seven Law Firms an additional \$199,691.01; and (3) ordering Class Counsel to pay that amount to the Seven Law Firms.

This Motion is made on the grounds that Class Counsel have failed to comply with their written agreement with the Seven Law Firms, which both the Seven Law Firms and Class Counsel agree is valid and enforceable. The Seven Law Firms and Class Counsel have agreed that this matter should be presented to this Court for resolution, pursuant to the Court’s continuing jurisdiction to resolve disputes arising from matters relating to the AT&T Settlement.

This Motion is based on this Notice of Motion, the accompanying the Memorandum of Points and Declarations of Anthony Ferrigno and Alan R. Plutzik and the pleadings and papers on file in this action. A proposed form of Order is also submitted herewith.

Dated: January 14, 2011

**BRAMSON, PLUTZIK, MAHLER &
BIRKHAUSER, LLP**

By: 
Alan R. Plutzik

Alan R. Plutzik (*pro hac vice*)
aplutzik@bramsonplutzik.com
2125 Oak Grove Road, Suite 120
Walnut Creek, California 94598
Telephone: (925) 945-0200
Facsimile: (925) 945-8792

FRANKLIN & FRANKLIN

J. David Franklin
jdfranklaw@san.rr.com
550 W "C" St #950
San Diego, CA 92101-8569
Telephone: (619) 239-6300
Fax: (619) 239-6363

LAW OFFICES OF ANTHONY A. FERRIGNO

Anthony A. Ferrigno
A-trust-fraudlaw@msn.com
P.O. Box 5799
San Clemente, CA 92674
MAILING: 1116 Ingleside Ave., Athens, TN 37303
Tel: (423) 744-4041

REICH RADCLIFFE & KUTTLER, LLP

Marc G. Reich
mgr@reichradcliffe.com
4675 MacArthur Court, Suite 550
Newport Beach, CA 92660
Telephone: (949) 975-0512

CUNEO GILBERT & LaDUCA, L.L.P.

Pamela Gilbert
pamelag@cuneolaw.com
507 C Street, N.E.
Washington, DC 20002
Telephone: 202/789-3960
202/789-1813 (fax)

JOSHUA DAVIS

davisj@usfca.edu

Associate Dean for Faculty Scholarship

Director, Center for Law and Ethics

USF School of Law

2130 Fulton Street

San Francisco, CA 94117

Telephone: (415) 422-6223

CARL HILLIARD, ESQ.

carl@carlhilliard.com

1246 Stratford Court

Del Mar, CA 92014

Telephone: (858) 509-2938

Facsimile: (858) 509-2937

SHERMAN BUSINESS LAW

Steven M. Sherman, Esq.

steven@shermanbusinesslaw.com

220 Montgomery Street, Suite 1500

San Francisco, CA 94104

Tel: 415/403-1660

Fax: 415/397-1577

Plaintiffs' ETF Counsel